IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1528/2005
IN
WRIT PETITION NO.4002/1990

Smt.Anandibai Kashiram Teli Applicant

versus

Gajanan Waman Prabhu & anr. Respondents

smt.Neeta V. Masurkar for applicant.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 13th January 2006

PC :

1. Heard Ms.Masurkar for the applicant. She submits that despite the office remark she has served a copy of this Civil Application on the advocate Shri C.J.Parulekar appearing for respondents. She submits that the Vakalatnama of the respondents' advocate has been shown in the Civil Application. A copy of the Civil Application is served on the advocate, therefore by her. The packet has been returned by the postal authorities with the remark "Closed. Intimation posted." She has also pointed out that the Civil Application which is presently taken

out is in pursuance of liberty granted by this Court after Civil Application No.1095 of 2005 was withdrawn. Intimation of that Civil Application was also given to Shri Parulekar. She seeks one week's time to file an affidavit proving service of the Civil Application. Time granted.

2. Perused the Civil Application. In the light of the statement therein, delay condoned. Civil Application is made absolute in terms of prayer clause (a).

3. Writ Petition No.4002 of 1990 is restored to the file of this Court for disposing it of on merits and in accordance with law.

(S.C.DHARMADHIKARI, J.)